

File No. 994
19

Collection No.

✓ 6-4-20

26-6-27

Pros. Serial Nos. 192-202

Subject.

Amendment of municipal
Law, 1897. Power to remove a
Municipal Commr. for failure to pay
municipal taxes or dues

Previous References.

Later References.

No. T.636/27
9039

CIVIL AND MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

From

DATED / 2 October 1927.

T. B. RUSSELL, Esq, I.C.S.,
President, Municipal Commission,
C. & M. Station, BANGALORE.

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

SIR,

I have the honour to invite a reference to the concluding sentence of para 2 of my letter No.T.508/27/175-27, dated the 10th October 1927, in regard to the failure of certain Municipal Commissioners to pay the property taxes due by them in time, and to suggest for the consideration of the Hon'ble the Resident that an addition be made to Section 11 of the Bangalore Municipal Law 1897, empowering the Resident by Notification to remove a Commissioner if he has failed to pay any Municipal tax for a period of more than two months from the date on which he receives the bill served on him under Section 186 (1) (a) of the Bangalore Municipal Law. I enclose a list of those Commissioners who did not pay their taxes for the half year ending the 30th September 1927 till very long after they became due.

2. A draft of the proposed addition to Section 11 is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

President, M. C.

MVL.

17/10/27

K

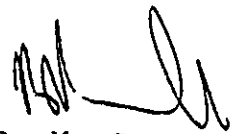
o/c. 316
89/10.2

9039
To
14/10/27
1802
24
23

DRAFT.

*Addition to Section 11 of the
Bangalore Municipal Law.*

" (f) if he has failed to pay any
Municipal tax due by him for a period of
more than two months from the date on
which he receives a bill for it."


P. M. C.

14/12/21

THE HON'BLE THE RESIDENT IN MYSORE.

---:0:---

No. 100

Dated Bangalore, 28th Oct. 1927, 1193

N O T I F I C A T I O N.

The following draft of an addition which it is proposed to make to Section 11 of the Bangalore Municipal Law is published for the information of the persons likely to be affected thereby and will be taken into consideration on or after the 15th November 1927. Any objection or criticism which may be received in respect of the said draft before the aforesaid date will be considered by the Resident in Mysore.

"(f) if he has failed to pay any municipal tax, or rent, or other charge for a building or structure leased to him by the Commission, or any other sum due to the Commission, for a period of more than two months from the date on which he receives notice to pay such tax, rent or other municipal dues."

Jc

W.S. 28/10

for SECRETARY TO THE RESIDENT.

To be published in the Residency Orders.

To the President, Municipal Commission, Civil & Military Station, Bangalore, with reference to his letter No.T.636/27, dated the 12th October 1927, and with the request that if any objections are received, they may be submitted to this office.

To the Editor, Daily Post, Ltd., Bangalore.
" Correspondent, the Madras Mail, Bangalore.
" Correspondent, the 'Hindu' Bangalore.
" Correspondent, the Statesman, Malleswaram, Bangalore
" Correspondent, the 'Englishman', do -
" Agent, Associated Press, 11 Clarkespet C, Bangalore.

BJ

JMR
28/10/27

No. 11592 ENCLOS.

Dated Bangalore,

16/11/1927. 194

FROM

SECRETARY TO THE RESIDENT IN MYSORE.

To

The P.M.C., C. & M. Station, Bangalore

Reference notfn ^{by letter} ~~in telegram~~ No. 100, dated the 28th October, 1927, of the Hon'ble the Resdt. in Mysore

Subject:—

Removal of Commissioners- Draft of an addition to section 11 of the Bangalore Municipal Law

Your are requested to state whether any objections or suggestions in respect of the draft have been received.

2. The favour of a very early reply is requested

S. A. A. Paris

For Secy. Resdt.

16. 11. 27
216/11
11/1111/11
16/11

No. T. 636/27

H. O. 2,000-29-4-1925
3

195

CIVIL & MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

RESIDENT'S OFFICE

BANGALORE.

Dated, 17 NOVEMBER 1927.

Register No. 10098

T. E. RUSSELL, Esq., I.C.S.,

Date of Receipt 19-11-27

President, Municipal Commission,
Civil and Military Station, BANGALORE.

To THE SECRETARY TO THE HON'BLE THE RESIDENT IN

MYSORE,

BANGALORE.

SIR,

Reference: The Hon'ble the Resident's
Notification No. 100, dated the 28th October '27

I have the honour to inform you that I have
received no objections with reference to the Notification
quoted above.

I have the honour to be,

Sir,

Your most obedient servant,

B.P.
16/11/27.

Encl.



PRESIDENT, M.C.

From

The Resdt. in Mysore.

To

The Pol. Secy. to the Govt. of
India, For & Pol. Dept.

Subject:-

Amendment of the Bangalore
Municipal Law, 1897 - Power to remove
a Municipal Commissioner for failure
to pay Municipal taxes or dues.

Sir,

I have the honour to address
the Govt. of India with regard to the
following proposal for an amendment of
the Bangalore Municipal Law, 1897.

2. A certain amount of revenue due
to the Municipal Commission of the C.&
M. Station, Bangalore, has fallen into
arrears, and the permanent staff has
found it possible to collect only a
portion of the amount. The President,
Municipal Commission, is satisfied after
careful inquiry, and I agree with him,
that the existing staff is unable to
deal with the arrears without extra
assistance; and he therefore approached
the Commissioners to vote for a tempor-
ary establishment for the purpose. The
Commission however declined to sanction
the additional temporary staff. This
resolution was referred back to the
Commission for re-consideration, with
a letter, of which a copy is enclosed for
the information of the Government of
India. Notwithstanding this endeavour
to induce the Commission to take a
considered view of the proposal, they
declined to accept it for a second time,
and the President has no hesitation in
ascribing this attitude to the following

vide sl. 314

87/02

encl.-do. —

sl. 315

1-87/02

para 3 sl. 316

no 11897 / 25 11
87-02

Encl. 2.

circumstance.

para 3 sl. 316

789/02

The general elections to the Municipal Commission were to have taken place this month, and it was evident that the outgoing commissioners, six of whom were themselves defaulters and in active personal sympathy

with the opposition, were desirous of securing the support of property owners who were eligible to vote and who were doubtless not in favour of a measure which was calculated to expedite the collection of arrears of taxes.

3. It appears to me that it is undesirable that Commissioners who are in default of payment of taxes or other Municipal dues should be allowed to continue to be members of the Commission. In the Madras Presidency persons who are in arrears of payment of taxes due, are not qualified for election (section 48(1)(a) read with section 45(c) of the Madras District Municipalities Act, V of 1920, and section 51(a) read with section 48(c) of the Madras City Municipal Act, IV of 1919).

4. In these circumstances, and as a similar provision does not exist in section 11 of the Bangalore Municipal Law, it is proposed to make the following addition to this section, namely,

"(d)(d), if he has failed to pay any municipal tax, or rent, or other charge for a building or structure leased to him by the Commission, for a period of more than two months from the date on which he receives notice to pay such tax, rent or other municipal dues; or", the word " or " after clause d being omitted.

2. The amendment was published for criticism, but no objections have been received. I request that the Government of India may now be pleased to approve of the proposed amendment of the Bangalore Municipal Law, and I enclose a draft notification for the purpose for approval and favour of publication.

I have, etc.

W. L.
23.11.27

Resident.,

[Signature]
21.11.27

[Signature]
21/11

No.

Government of India
Foreign and Political Department

Dated

November, 1927

Notification

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to direct that the following amendment shall be made in the Bangalore Municipal Law, 1897, namely,

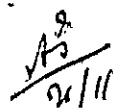
1. The following clause shall be added to section 11:-

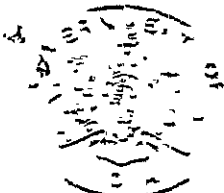
"(d) if he has failed to pay any municipal tax, or rent, or other charge for a building or structure leased to him by the Commission, or any other sum due to the Commission, for a period of more than two months from the date on which he receives notice to pay such tax, rent or other municipal dues: or".

"The word" or" after clause(d) shall be omitted."

Secy. to the Government of
India


21.11.27


21/11



D.O.No.927-I/26.

FOREIGN AND POLITICAL DEPARTMENT.

New Delhi, the 23rd December 1927.

Amendment of the Bangalore Municipal Law, 1897^t
(Power to remove a Municipal Commissioner for
failure to pay Municipal taxes or dues.

Dear Mr Pears

sl 196

Please refer to your official letter No.41897/89-1902,
dated the 25th November 1927.

In connection with the draft notification enclosed with
your letter, I am to observe that the language used in the pro-
posed new clause to sub-section (1) of section 11 of the Banga-
lore Municipal Law, 1897, should be in consonance with the pro-
visions of section 186, and that the new clause would come in
better after clause (c) than (d) in sub-section (1) of section

A copy of a revised draft notification, embodying the
above-mentioned ideas, is enclosed, and with reference thereto
I am to enquire whether the date from which the two months is
intended to run is the date on which action is taken under clau
(a) of sub-section (1) of section 186 or the date on which acti
is taken under clause (b) of that sub-section. The draft noti-
fication as revised is in alternative form, and the alternative
not required can be eliminated.

Yours sincerely
J. P. Pears

RECEIVED OFFICE

5/1/28 BANGALORE

11384

To 20.12.27

The Hon'ble Mr. S.E.Pears,

C.S.I., C.I.E.,

Resident in Mysore.

Copy of a revised draft notification.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to direct that the following further amendment shall be made in the Bangalore Municipal Law, 1897, namely:-

In sub-section (1) of section 11 of the said Law, after clause (c) the following clause shall be inserted, namely:-

"(cc) if any sum recoverable from him under section 186 has remained unpaid for a period exceeding two months from the date of service of a bill for the same under clause ^(a)
notice of demand _(b)
of sub-section (1) of the said section;"

D.O. No. 183

THE MYSORE RESIDENCY,
Bangalore, 9 January 1928.

AMENDMENT OF THE BANGALORE MUNICIPAL LAW, 1897
(POWER TO REMOVE A MUNICIPAL COMMISSIONER FOR FAILURE
TO PAY MUNICIPAL TAXES OR DUES).

My dear Mr. Glancy,

sl 197 Please refer to your demi-official No. 927-I/26, dated the
23rd December 1927.

I am desired to say that the date from which the two months
is intended to run is the date on which action is taken under
clause (a) of sub-section (1) of section 186.

Yours sincerely,

M
N.I.

o/c

for Major K.A.G. Evans Gorda
(Please reply to him)

B. J. Glancy, Esq., C.I.E.,

Deputy Secretary to the Government of India,

Foreign and Political Department.

195

No. 57-I.
Government of India.
Foreign and Political Department,
New Delhi, the 18 January 1928.

Notification.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to direct that the following further amendment shall be made in the Bangalore Municipal Law, 1897, namely:-

In sub-section (1) of section 11 of the said Law, after clause (c) the following clause shall be inserted, namely:-

"(cc) if any sum recoverable from him under section 186 has remained unpaid for a period exceeding two months from the date of service of a bill for the same under clause (a) of sub-section (1) of the said section;"

RESIDENTS OFFICE,
BANGALORE. ✓
656
23.1.28
294/93

Sd. C.C. Watson,

Political Secretary to the Government of India.

Copy to the Hon'ble the Resident in Mysore, for information, with reference to his letter No. 11897/89/1902, dated 25th November 1927.

Attested.

[Signature]
Superintendent,
Foreign and Political Department.

R. O. 106 (a)1.

All communications
should be addressed
to the Secretary to the
Resident in Mysore,
Bangalore,
by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

No. 968 ENCLOS.

A copy of the marginally* noted letter, with enclosure, is forwarded

P. VC. ————— No. 57-I dated 18.1.28 to the President, Municipal Commission, - City
Foreign & Political Deptt. } station, Bangalore, with
reference to the correspondence
ending with his letter
no. T/636/27, dated the
17th November 1927

Sl 195

Secretary to the Resident.

532-15-9-1927-5,000-RPB.

P.T.O

Telegraphic
Address:
Bangacts,
BANGALORE.

GOVERNMENT OF INDIA
The Pay and Accounts Office
BANGALORE.

Telephone :
Office 47

Ref. No. P.B.8/6266.

21st December

1928

Enclosures

RESIDENT'S OFFICE

TO BANGALORE.

12232

The Secretary to the Resident,

BANGALORE.

Sir,

I have the honor to state that a copy of the Bangalore Municipal Law with corrections up to date may kindly be arranged to be supplied for the use of my office.

VDV.

I have the honor to be,
Sir,
Your most obedient servant,

Shankararam

PAY AND ACCOUNTS OFFICER.

Ac

There is no spare copy available in the office.

Draft submitted.

Chaitanya Das

3/1/29

10/3/29

All communications
should be addressed
to the Secretary to the
Resident in Mysore,
Bangalore,
by designation and not by name.

OFFICE OF THE RESIDENT IN MYSORE,

Bangalore, 9/12/1927

No. 28/ ENCLOS. /

A copy of the marginally* noted letter, with enclosure, is forwarded

S.N. 201.
(G. 116)

Ref. *No. P.B. 8/626 dated 12 } to the President, Municipal Commn,
21st December, 1925 }
from the City and Arcamies }
Officer, Bangalore }
C. M. Station, Bangalore, for
favour of compliance.

for 
Secretary to the Resident.
C.R.S.

P. U.S.
CLYR

Letter N. T. 636/27, dated the 12th Oct 27,
from the Governor, P.C., Com. Sec., P. Sec.

The draft of the proposed addition
to Section 11 of the Bangalore ^{Mun. Law} has to be
published for criticism as required by
Section 180 (1).

Draft not subm. d.

C.K.S.
17/10/27

(2) Perhaps the P. M. C. has ascertained
what the practice in this respect is in
the Madras Presidency - If so he may
be asked up to favour this office with
the necessary reference papers on the
subject.

W.S.
17/10

(3)

This is in accordance
with Resident's verbal order.
May notification issue?

Result:
Undecided
17.10.27

(4)

Fresh draft for
approval.

W.S.
20.10.27

(5) Key line

Please see sl. 322 193

⑥ Draft for approval. Government of India will be addressed as soon as P.M.C. has replied.

if
16. 11. 27
16/11
form

sl. 323 194 Issued No. 11592, dated 16.11.27

sl. 324 195 Letter No. T.636/27, dated 17.11.27, from the P.M.C.

192 - 194
Please see sls. 321 to 323

⑦ Draft to G. of I. for approval. It appears to be desirable that the amendment should be inserted as clause(d)(d) rather than as clause(f) for the following reasons:-

1. The preceding clauses(a) to (d) refer in particular to Commissioners.
2. It is possible, if the amendment is inserted as cl.(f), that it may be mis-read as referring only to the class of Commissioner referred to in cl.(e) if, for the sake of appropriateness, the word "or" is to be struck off after cl.(d) and added after cl.(e).

if
21. 11. 27
25/11
21/11
incl
23. 11. 27

sl
196

Issued No 118978, 25. 11. 27

proc. — D.O. Letter No. 127-I/26, dt 23.12
S. 197 from The Secy, F & P Dept

(8)

Please see sls 192-16
+ P.U.C.

The intention is that
the two months period
referred to should
run from the date
on which action is
taken under clause (a)
of sub-section (1) of
sec. 186 (of Bangalore
Mun. Law) — Vide
the P.M.C.'s proposal
at K in sl 192
draft subd.

WJ
6.12.28

WJ
11/6/11

WJ
7.1.28

sl 199

Notification no. 57-L, of 18th
of the Govt. of India, Foreign
& Political Deptt.

(9)

The previous correspondence
is in serials 192 — 198.

Draft submitted for approval

⑧ Issued
(sl 200)

W.P.
25.1.28

W.P.
25.1.28

~~Recd.~~ 200

W.P.

Issued No 963 of 28.1.28

~~W.P.~~

President may see S. No. 199?

~~Recd.~~

W.P. 28/1/28

Result: has seen
sl 197.

This need not go up
again

W.P.
28.1.28

W.P.
28.1.28